

**MCKEE, VOORHEES & SEASE, PLC**  
**MCKEE VOORHEES & SEASE, PLLC**

ATTORNEYS AT LAW

801 GRAND AVENUE • SUITE 3200 • DES MOINES, IA 50309-2721  
PHONE: 515-288-3667 • FAX: 515-288-1338 • www.ipmvs.comRECEIVED  
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FROM: HEIDI S. NEBEL

NUMBER OF PAGES (Including cover): 2

Please file the attached **NOTICE OF APPEAL** for the following:

APPLICANT : WELSH, Michael J., et al.  
SERIAL NO : 10/766,506  
FILED : January 28, 2004  
TITLE : USE OF XYLITOL TO REDUCE IONIC STRENGTH  
AND ACTIVATE ENDOGENOUS ANTIMICROBIALS  
FOR PREVENTION AND TREATMENT OF  
INFECTIONS

Grp./A.U. : 1614  
Examiner : DELACROIX MURHEI, Cybille  
Conf. No. : 3490  
Docket No. : P04385US02

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**NOTICE OF APPEAL FROM THE EXAMINER TO  
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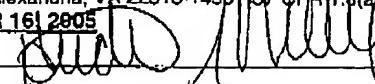
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Signature Typed or printed name HEIDI S. NEBELIn re Application of  
**WELSH, Michael J., et al**Application Number  
**10/766,506**Filed  
**January 28, 2004**

For

**USE OF XYLITOL TO REDUCE IONIC STRENGTH  
AND ACTIVATE ENDOGENOUS ANTIMICROBIALS  
FOR PREVENTION AND TREATMENT OF  
INFECTIONS**Art Unit  
**1614**Examiner  
**DELACROIX MUIRHEI,  
Cynthia**

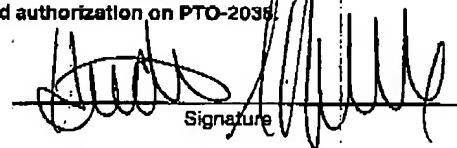
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$       

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 250.00
- A check in the amount of the fee is enclosed. | 12/19/2005 BABRAHA1 00000057 260084 10766506
- Payment by credit card. Form PTO-2038 is attached. | 01 FC:2401 250.00 DA
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- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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I am the

 applicant/inventor. assignee of record of the entire interest.See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96) attorney or agent of record.Registration number 37,719  
SignatureHEIDI S. NEBEL

Typed or printed name

(515)-288-3867

Telephone number

 attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

12/16/2005

Date

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.**

 \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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